

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL MARR,

Plaintiff,

Case No. 1:07-cv1201

v.

Hon. Janet T. Neff

JAMES JONES,

Defendant.

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ORDER APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed November 24, 2008, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that defendants' motion for summary judgment (Dkt. No. 13) is **DENIED** for the reasons stated in the Report and Recommendation.

Dated: January 22, 2009

/s/Janet T. Neff
JANET T. NEFF
UNITED STATES DISTRICT JUDGE